

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RANDOLPH J. THURBER,

Plaintiff,

vs.

STATE OF NEBRASKA, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)

4:06CV3174

ORDER

IT IS ORDERED that defendants' Motion to Strike Brief [60] is granted, and Filing No. [59] is hereby stricken. Defendants shall, forthwith, file a corrected "Supplemental Brief in Support of Motion to Dismiss."

DATED December 21, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**